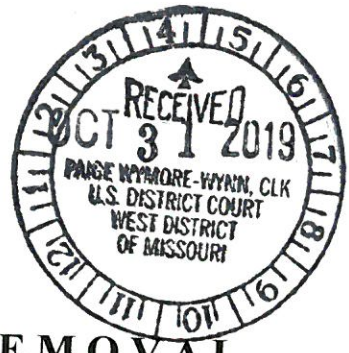


Frederick- Joseph: Guenther,
104 South Oak Street
P.O. Box 283
NEVADA, MISSOURI Territory
MISSOURI State Republic [64772-9998]



**AFFIDAVIT OF
LAWFUL/LEGAL NOTICE OF REMOVAL
FROM CIRCUIT COURT TO FEDERAL COURT
PURSUANT TO TITLE 28 § 1441- §1446
PROPER ARTICLE III JURISDICTION
(State Court Ousted from Jurisdiction Remove from Docket)**

~~Defendants~~
~~Plaintiff(s),~~

IN THE COURT OF 28th JUDICIAL CIRCUIT
VERNON COUNTY, MISSOURI
STATE OF MISSOURI
100 WEST CHERRY STREET
NEVADA, MISSOURI 64772

~~STEPHANIE M. KIMMELL~~

Removed 28th Circuit Case# 19VE-CV00461

v.

ORIGINAL JURISDICTION

**Federal Question(s):
Constitution, Treaty;
Religious Liberty;
Due Process;
Supreme Court Rulings**

~~Plaintiff~~

I- Frederick- Joseph: Guenther :, Natural Person, In Propria Persona:
Ex Relatione FEDERICK JOSEPH GUENTHER.: All Rights Reserved:
U.C.C. 1-207/ 1-308; U.C.C. 1-103
Not a Corporate Person or Entity, Misrepresented by Fraudulent Construct of ALL CAPITAL LETTERS
Non-Domestic
A Natural Person, In Propria Persona, Sui Juris (not to be confused with nor substituted with Pro
Se); and not a Statutory Person. (Exhibit A. Name Change)

Petitioner / Alleged Accused,

(Hereinafter Petitioner)

Official Notice is hereby served on the STATE OF MISSOURI SUPREME COURT/ IN THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI ; all Judicial Sub-Divisions; Officials; Agents; and above named Plaintiff-all cases and Jurisdiction / Venue moved to Federal Court. All Matters, Complaints, Traffic Tickets / Suits, Citations / Bills of Exchange/ Indictments (misrepresented as lawful

Notice of Removal From Circuit Court to Federal Court

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warrants, etc.), must be filed with Federal Court, pursuant to Jurisdiction named hereinafter.
(Jurisdictional Challenge Exhibit B)

I.

JURISDICTION

Jurisdiction / Venue are hereby placed in one Supreme Court, pursuant to Article III Section 2 for The United States Republic, and the several States, under the Constitution; Article VI; and reaffirmed by obligatory Official Oaths.

“The Judicial Power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls; --to all cases of admiralty and maritime jurisdictions;--to controversies to which the United States shall be a party;--to controversies between one or more states;--between a state and citizens of another state;--between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.”

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

State Court Ousted of Jurisdiction. The defendant is required to file a copy of the notice of removal with the clerk of the state court “which shall effect the removal and the state court shall proceed no further unless and until the case is remanded.” 28 U.S.C. §1447(d). No order by the federal court is necessary to complete removal. *Libhart v. Santa Monica Dairy Co.*, 592 F.2d 1062 (9th Cir. 1979). The removal is effected automatically by defendants filing a notice of removal in the federal court, filing a copy of the notice in the state court and giving notice to all adverse parties. 28 U.S.C. §1446(e). See also 14C Wright, Miller and Cooper, *Federal Practice and Procedure: Jurisdiction* 3d §3737 (1998).

COMES NOW, Federick- Joseph: Guenther , Ex Relatone FEDERICK JOSEPH GUENTHER. Natural Person, In Propria Persona Sui Juris (not to be confused with, nor substituted by, Pro Se by unauthorized hand of another). I am possessing Free-hold by Inheritance and Primogeniture Status; standing squarely Affirmed, aligned and bound to the U.C.C., Organic Constitution, with all due respect and honors given to the Constitution for the United States Republic, East America. Being born in America, who received commandment from Yahweh to have sovereignty [dominion] over everything that swims in the waters, that flies in the skies, and that creepeth upon the earth according to Genesis 1: 26, and also Genesis 1:27. And was commanded to be fruitful, and multiply, and replenish the earth. Our sovereignty is worldwide

and cannot be restricted or taken from us under any contract whatsoever, and can only be taken away in Yahweh's wrath. Yahweh the creator and founder, and the true possessor of all that is seen and also unseen. Our dominion and inhabitation extended from Coast to Coast and sea to sea. I also have an international treaty with the world which is a U.C.C. and Act of State.

Book of Treaties) the same as displayed under Treaty Law, Obligation, Authority as expressed in Article VI of the Constitution for the United States for America (Republic):

CONGRESS DECLARES BIBLE
"THE WORD OF YAH"

PUBLIC LAW 97-280 OCT. 4, 1982

Public Law 97-280
96 STAT. 1211
97th Congress

Joint Resolution

Authorizing and requesting the President to proclaim 1983 as The "Year of the Bible"

Whereas the Bible, the Word of Yah, has made a unique contribution in shaping the United States as a distinctive and blessed nation and people;

Whereas deeply held religious convictions springing from the Holy Scriptures led to the early settlement of our Nation;

Whereas Biblical teachings inspired concepts of civil government that are contained in our Declaration of Independence and the Constitution of the United States;

Whereas many of our great national leaders-among them Presidents Washington, Jackson, Lincoln, and Wilson-paid tribute to the surpassing influence of the Bible in our country's development, as in the words of President Jackson that the Bible is "the rock on which our Republic rests";

Whereas the history of our Nation clearly illustrates the value of voluntarily applying the teachings of the Scriptures in the lives of individuals, families, and societies;

Whereas this Nation now faces great challenges that will test this Nation as it has never been tested before; and

Whereas that renewing our knowledge of and faith in Yah through Holy Scripture can strengthen us as a nation and a people: Now, therefore, be it *Resolved by the Senate and House of Representatives of the United States for America in Congress assembled*, That the President is authorized and requested to designate 1983 as a national "Year of the Bible" in recognition of both the formative influence the Bible has been for our Nation, and our national need to study and apply the teachings of the Holy Scriptures.

Approved October 4, 1982.

II.

PARTIES

Plaintiffs

1. STATE OF MISSOURI, corporation established in the year SEVENTEEN NINETY-SIX (1796), foreign to the organic MISSOURI state Republic; and foreign to the United States Republic of East America.
2. CITY OF NEVADA POLICE AGENT in public and private capacity
3. THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI, private corporation; foreign to the United States Republic and all MISSOURI, VERNON COUNTY and CITY OF NEVADA Employees; Agents; Officers; Contractors; Assignees, etc., being Plaintiffs, Claimants, or Parties of Interest in the 'Color-of-Law' processes instituted by them, or any one of them, against Frederick- Joseph: Guenther .
4. Court Administrator for THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI, Private Corporation foreign to the United States Republic; and foreign to the organic MISSOURI Republic.

Petitioner

Frederick- Joseph: Guenther , In Propria Persona, Sui Juris (not to be confused with Pro se)

I, Frederick- Joseph: Guenther , In Propria Persona, Sui Juris; Freehold by Inheritance with Birthrights and protected and secured Inalienable Rights, makes with this NOTICE OF REMOVAL of the unconstitutional Complaint – Summons / Ticket – Suit / Bill of Exchange / Action/ Indictments, Booking Number MO109033J. Petitioner is with reasonable expectation that the Officers / Agents, and Officials, holding any position of Public Trust, or political office, are prohibited, under Official Oath, under the authority of The Law of the Land, from the use of the official position(s) or office(s) to violate the Constitution for the UNITED STATES FOR AMERICA; and thus, by the abuse of authority, and the practice of superseding their 'limited' jurisdictional powers, violate and abridge the Natural, Divine, Unalienable, and Secured Rights of the People; terminating with the cause of damage to this Petitioner / Plaintiff.

III.

CAUSE OF ACTION

Affidavit of Fact and Affidavit of Rebuttal with Live Testimony by
General office of Executor for the Frederick Joseph Guenther,
Estate In regards to Fraudulant Ex Parte filed by Stephanie
Guenther[Kimmell]

1. No. 11 (page 3 of 4 of the Ex Parte) placed or attempted to place me in apprehension or immediate physical harm. That on August first two thousand and nineteen at seven thirty six in the evening I frederick joseph guenther texted Stephanie Guenther that we “need to schedule a time for me to come out to the farm to get my stuff Saturday.”
2. This was to just get my property(that which I have purchased or was given to me as a gift, nothing of Stephanie or her personally, as a believer in Yahweh and being married for 25 years, and a doctor who helps people regain health, I have never, nor will I have any ill intent with Stephanie the mother of my sons and daughters) that I haven’t been allowed to get since I was forcefully removed from my home under duress three years previous.
3. I hope someday she will heal and regain a healthy attitude with others again, but these acts are not moral just more frivolous filings to discredit our court system and deprive me of my right to property and defamation of my good name and character causing my estate harm and damages.
4. A good name is rather to be chosen than great riches, and loving favour rather than silver and gold (Proverbs 22.1). Page 2 of 5 per the text, Stephanie even states my property is still at the farm location” I’d love for your to clear out some of your stuff’ ... acknowledging my property.
5. “Im sorry you’re being this way” Then he said “ it’s a real shame , your forcing me to do things I don’t desire to do....sorry in advance”. (amended page between page 3 of 4 and 4 of 4). I am sorry Stephanie can not work out in amical

way(friendly). “forcing me means frederick joseph having to take legal action for a simple matter for a remedy.

6. “I (Stephanie) took screen shots and sent them to my lawyer, in case anything happens. Then I (Stephanie) sent them to Travis Cole, the sheriff’s deputy. He advised me to file a report and request a restraining order.” I (frederick) have never agreed to forfeit, abandon or give up any of my property rights. These matters are not be resolved and I am seeking legal remedy.
7. Stephanie Stated, “I am requesting this restraining order because Fred has a very long history of coercion and control in the family. Especially with me. He possesses the potential for violent behavior. When he thinks someone is going against his right control them - that’s the times’ that I’ve seen it.
8. This is hear-say and I object to the faults actuations, all of which unsubstantiated. Not in 25 years have there been actuations.
9. “I (Stephanie) thought about having a brother of mine be there if I gave some of the belongings to Fred →but I really think that would be a volatile situation.
10. Again this is hear-say and I (frederick) object to the false insinuation.
11. I (Stephanie) hate writing this stuff....previous acts of violence.
12. -forced sex.
13. -picking child up by ears and slamming him against wall.
14. -placing hands around child’s neck (but not squeezing) to get obedience, raising fist at me at close range.

15. I do not believe that Stephanie hates writing these type of false actuations, in fact its her desire and she has studied how to write and motivate people in a false way for her own benefit.
16. We have never had forced sex; nor have I picked up a child by the ears and slamming him against wall.
17. This never happened, I(frederick) never pick up any of my sons or daughters by their ears, nor have I ever slammed a son or daughter against a wall. But my wife pressured our son to stated that and he stated he couldn't even remember what had happened or where.
18. Stephanie stated, "These things have previously been reported, but I put them down to give an idea of my history with Fred, and why I am requesting a restraining order."
19. Stephanie stated, "Placing hands around child's neck (but not squeezing) to get obedience. These actuations have already been found to be unsubstantiated per social services, raising fist at me at close range."
20. This is completely false, I have never nor would I ever. I was raised with six sisters and was trained differently, being taught never to never repond to the female gender with harm in any way. However, Stephanie has hit me with closed fist and has stated that to several people and have written an affidavit stating the facts. See Affidavits
21. These things have previously been reported, but I put time down to give an idea of my history with Fred, and why I am requesting a restraining order.
22. As before, Stephanie has reported hear-say to manipulate the court system to her benefit and it is false.
23. Number 12. I am afraid of Respondent and there is an immediate and present danger of domestic violence to me or

other good cause for an emergency temporary order of protection because (describe).

24. 'His message: you're forcing me to do things I don't desire to do sorry in advance'; I feel like this is a threat, that he might do something bad in the near future – he believes he can control everyone and goes to all kinds of extremes when he cant.
25. Again, these are instantiated and false hear-say. She was even told if she didn't want to be there, she didn't even need to be present, I was going to be coming to the farm with my older sons to load up my property. Obviously, these are false actuations, as stated before to discredit, defamation and harm my relationship with my son's and daughter's.
26. Number 15. Committing or threatening to commit domestic violence, sexual assault, molesting, or disturbing the peace of Petitioner whenever Petition may be found.
27. Repeatedly unsubstantiated and false claim aiming only to harm, defamation of character and my good name.
28. -entering the dwelling of Petitioner located at (see notice below). I have not entered or threatened to enter Stephanie's dwelling place. Another false statement. Note, Stephanie came into my office, my place of labor the day I received the Ex Parte, less than 20 feet from me while I was laboring with my fellow man. Violating her Ex Parte, expressing by entering into my place of work that she does not fear me at all. Further, when asked to leave she refused and I had to call 911 and Nevada Police came to the office, and just before they appeared, she stepped outside. This was witnessed by John Pennington who did clerical work for me roughly around 4:45pm, 15 mins early to pickup out sons' and daughters'. Plus she continued to text me.

29. -entering onto the premises of the Petitioners place of employment located at 1933 Pecan St. Deerfield, MO 64741. I never entered or threatened to do so, didn't know Stephanie even worked there or where- ever she worked or if she worked. Another false statement.
30. Number 26. Order Respondent to participate in a court-approved counseling program designed for batterers and/or
31. No consent or contract, reservation of all my right. There is no injured party. I Object and do not consent.
32. See Recorded Text Messages by Frederick Guenther that proves Stephanie is delusional and a great storyteller of lies and deceit using the court without first hand knowledge to create a subterfuge tactic to deny her ex-husband of his belonging and right to his hard earned property.

Prayer (Remedy) of Relief

33. Restoration of all property rights, as first lien holder and General Executor of the Frederick Joseph Guenther Estate.
34. Book of Numbers Chapter 30 verse 3-5, The Father has all authoritative right and is the Head of the Family/Household as the Ruler/Leader. Precept Ephesians Chapter 5.

The VERNON CIRCUIT COURT, MISSOURI is an unconstitutional, private corporation, not delegated by Congress, under Article III, Section 2 of the Constitution; and the Public Servants do not, and did not provide the "Due Process" protected and secured for the People, by the Amendments IV, V, VI, VII, VIII, IX, and X of the United States Constitution, to which the Judges and Officers in every State is bound (by Official Oath) to support and to uphold. Any statutory regulation, ordinance, or laws of any State, to the contrary, notwithstanding.

This allegedly - accused Petitioner believes that in accord with the Substantive Rights retained by the Petitioner, notifying all parties of the Petitioner's (Identification / Status) and that the Petitioner never at any point, waives any Inalienable Rights including that of due process; and affirmed that any action be adjudicated in a lawfully delegated jurisdiction and venue.

The Officers of STATE OF MISSOURI commanded that the Petitioner Pay Fines and Costs Imposed under threat, duress, and coercion with a 'man-of-straw' / misnomer word, misrepresented as implying

my name, and typed upon the Order / Instrument, and was improperly spelled, "FEDERICK JOSEPH GUENTHER.: " in ALL CAPITAL LETTERS. That misnomer and CORPORATE - NAME, "FEDERICK JOSEPH GUENTHER.:" is clearly (an artificial – person / entity); is not me, the Natural Person. That action is a deliberate grammatical error, intended for injury to me; and is clearly not of consanguine relationship to me or to my nationality, in any form, truth, or manner, nor to my Family Bloodline. This is a in violation of my secured rights to my name and nationality; a violation of International Law; and a violation of the Obligations of the Officers of the Court; and a violation of their fiduciary duties and Official Oaths to uphold and to support Article VI of the United States Constitution; and thus, violating my Substantive Rights, and the Articles of Part 1 as follows:

"MAN/WOMAN have the right to a full and effective enjoyment of all human rights and fundamental freedoms recognized in the Charter of the United Nations; The Universal Declaration of Human Rights; And International Human Law."

Article 5 of the *Rights of Indigenous People*

"Every Indigenous individual has the Right to a Nationality."

Article 15 of the *Declaration of Human Rights* (<http://www.un.org/Overview/rights.html>)

everyone has a right to a nationality. (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his name."

This Petitioner was forced under threat, duress, and coercion to sign and/or give verbal consent to all contracts, documents, or agreements, including bonds, court recordings, etc to secure his freedom and life" on the ticket / summon / suit/ complaint/ indictment No. 19VE-CV00461 Booking # MO109033J and signed for the record; name, correct spelling of name.

Plaintiff/VERNON County Circuit Court is with the 'want of jurisdiction' by knowingly and willingly conspiring (under a Color-of-Authority) to deny this Petitioner, Federick- Joseph: Guenther , (after this Petitioner made a reservation of rights and stating for the record; name, correct spelling of name, and national status) his Inalienable Rights, the right to a Name and Nationality of his choosing, etc. The State / Judge / Accuser(s) alleged and assumed the Petitioner of being a Corporate Ward-ship 13th Amendment Artificial Person / citizen, which resulted in an unlawful arrest-of-rights, immunities and liberties; which is in direct contradiction to, and a violation of, the Seventh (VII) Amendment of the Constitution for the United States (Republic); violating Article VI of the Constitution, by way of violating a violation of Article 15 of 'The Universal Declaration of Human Rights' of Nineteen Hundred and Forty-Eight (1948) A.D. – General Assembly, United Nations; a violation of 'The Declaration of the Rights of The Child' of Nineteen Hundred and Fifty-Nine(1959) A.D(<http://www.un.org/cyberschoolbus/humanrights/resources/child.asp>); and violating 'The Rights of the Peoples'; and that the Officers of THE STATE OF MISSOURI knowingly committed 'fraud' against the Petitioner (Federick- Joseph: Guenther) by abusing their authority, in that they failed to correct a known violation; and did not aid in preventing said such abuse of authority, while having (by law) the obligation to do so; and violated the Fifth Amendment of The Bill of Rights of Seventeen Hundred and Ninety-One (1791) A.D.; impeding the Peoples' **right to due process under the Law, and equal protection of the Law**, Article 1 Section 10 of The Constitution for The United States for America (Republic)

which secures this Petitioner the right to contract and conspiracy to commit fraud against this Petitioner and against the United States Republic.

IV.

CONCLUSION

1. It is a sin for any group of people to violate the Constitutional Laws of a Free National Government.
2. The Delegates, possessing Free-hold by Inheritance and Primogeniture Status; standing squarely Affirmed, aligned and bound to the U.C.C., Organic Constitution, with all due respect and honors given to the Constitution for the United States Republic of East America. Being born in America, who received commandment from Yahweh to have sovereignty [dominion] over everything that swims in the waters, that flies in the skies, and that creepeth upon the earth according to Genesis 1: 26, and Genesis 1:27. And was commanded to be fruitful, and multiply, and replenish the earth. Our sovereignty is worldwide and cannot be restricted or taken from us under any contract whatsoever, and can only be taken away in Yahweh's wrath. Yahweh is the creator, founder, and the true possessor of all that is seen and also unseen. In the second year of the Independence of The United States for America, it was agreed to certain *Articles of Confederation* and perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island, and Providence Plantations, MISSOURI, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, East Carolina, South Carolina and Georgia; wherein they did declare that the style of the Confederacy shall be the United States for America.
3. All parties to the *Articles of Confederation* of 1778 did also agree that *Article IX* shall set forth the procedure for resolving a dispute brought before the Congress of the United States by a freely associated compact State of the United States for America.
4. All parties to the *Articles of Confederation* of 1778 did also agree that no Congress shall thereafter alter *Article IX* of the *Articles of Confederation* unless it has received confirmation to do so by every State in the Union (*Article XIII* of the *Articles of Confederation*).
5. The United States, pursuant to an "Act" of the States sitting in Congress under the *Articles of Confederation* of Seventeen Hundred and Seventy-Eight (1778) A.D., authorized a Constitutional Convention for the purpose of forming a more perfect Union, to establish justice, to insure domestic tranquility, to provide for the common defense, to promote general welfare, and to secure the blessings of liberty, did ordain and established a Constitution for the United States. The Constitution for the United States was declared to be a "revision" to the *Articles of Confederation* of 1778 (*REPORT OF PROCEEDINGS IN CONGRESS*, Wed., Feb.21, 1787 [*Journals of the Continental Congress*, vol. 38]).
6. The Constitution for the United States was established by the People of the United States for America, and not by the States in their sovereign capacity (*In reg Opinion of the Justices*, 107 A. 673, 674, 118 Me. 544, 5 A.L.R. 1412) and was ratified by the People sitting in Convention of the

Original 13 States of the United States for America (*United States Constitution, VII: 1:1*).

7. The Constitution for the United States is a Compact which constitutes a binding trilateral Contract between the People, the freely associated compact States of the United States for America, and the United States [e.g. *Article 10* of the *Bill of Rights* to the *Constitution of the United States*] (*In reg Opinion of the Justices, 107 A. 673, 674, 118 Me. 544, 5 A.L.R. 1412*).
8. By the wording of *Article VI* of the *Constitution for the United States*; the Congress is required to review its legislation from time to time to determine if the legislation was made pursuant to the provisions of that Constitution.
9. The parties to the Compact of the United States Constitution further agreed that the enumeration in the Constitution of certain Rights shall not be construed to deny or disparage others retained by the People (*Article 9* of the *Bill of Rights* to the *Constitution for the United States*).
10. The parties to the Compact also agreed that the Powers not delegated to the United States under the U.S. Constitution are reserved to the States or to the People (*Article 10* of the *Bill of Rights* to the *Constitution for the United States*).
11. On February 24, 1855; the Congress of the United States created the United States Court of Claims. The Court of Claims was authorized to execute the mandates of *Article IX* of the *Articles of Confederation* of 1778 and *Article I* of the *Bill of Rights* to the *Constitution for the United States* (*10 Stat. 612, sec. 1, sec. 7*).
12. The Congress of the United States also enacted the "*Bowman Act*" of March 3, 1883 (*22 Stat. 485*) and the "*Tucker Act*" of March 3, 1887 (*24 Stat. 505*) to clarify the jurisdiction of the Court of Claims. Under these Acts, either House of Congress may submit any claim or matter to the United States Court of Claims for investigation and determination of facts. The Court was to report its findings back to Congress for Congressional determination.
13. Notwithstanding the limitations imposed upon the United States Claims Court by *P.L. 97-164* and its subsequent United States Court of Federal Claims by *P.L. 102-572*; the Congress of the United States is barred by *Article IX* and *Article XIII* of the *Articles of Confederation* and by *Article I* of the *Bill of Rights* to the *Constitution for the United States* to limit its investigations to moneyed claims.
14. The continual refusal of the United States Congress to resolve the Petitions of Grievances that were submitted to it, by the several States of the Union, violates the "*Good Faith*" agreement that all grievances submitted would be expeditiously resolved as mandated by the *Articles of Confederation* of 1778.

15. Between the years of 1866 and 1868 (and other years); several states within the United States known as "States" submitted Petitions to the Congress of the United States for Redress of Grievances. These Petitions have passed from Congress to Congress for over one hundred years, with the Congress refusing to take any action to resolve the disputes as required by *Article IX* of the *Articles of Confederation* of 1778 and *Article I* of the *Bill of Rights* to the *Constitution for the United States*. These Petitions challenged the procedure by which the Congress used to amend the Constitution for the United States. The Amendments in question are the unlawfully - ratified 13th, 14th and 15th Amendments (hereinafter referred to as the "Three Dead Badges of Law").
16. "No change in ancient procedure can be made which disrupts those fundamental principles, which protect the citizen in his private right and guard him against the arbitrary action of the government." *Ex Parte Young*, 209 US 123.
17. The Constitution for the United States for America binds all judicial officers at Article 6, wherein it does say, "This Constitution and the Laws of the United States which shall be made in pursuance thereof, and all Treaties made, or which shall be made under the authority of the United States, shall be the Supreme Law of the Land, and the Judges of every State shall be bound thereby, anything in the Constitution or laws of any state to the Contrary, notwithstanding," see Clause 2.
18. Black's Law Dictionary 4th Ed. Defines "Law of the land", - When first used in Magna Charta, the phrase meant the established law of the kingdom, in opposition to the civil or Roman law. It is now generally regarded as meaning general public laws binding on all members of the community. *Janes v. Reynolds*, 2 Tex 251; *Beasley v. Cunningham*, 171 Tenn. 334. 103 S.W.2d 18, 20110 A.L.R. 306. It means due process of law warranted by the constitution, by the common law adopted by the constitution, or by statutes passed in pursuance of the constitution *Mayo v. Wilson*, 1 N.H. 53.
19. Clause 3, clarifies the scope of this requirement when it states that "...All judicial officers, both of the United States and of the several states shall be bound to support this Constitution..."
20. The 5th Amendments require that all persons within the United States must be given due process of the law and equal protection of the law.
21. The unconstitutional charges being applied to this Petitioner are not in pursuance of the Constitution for the United States for America, wherein it does guarantee, and this Petitioner does declare the equal protection of the right to "life liberty and the pursuit of happiness" in the 1st Amendment, which includes the right to travel as evidenced in positive law and stare decisis, to wit; *Chicago Motor Coach v. Chicago* 169 NE 221 "the use of the highways for the purpose of travel and transportation is not a mere privilege, but a common fundamental right of which the public and individuals cannot rightfully be deprived"; *Teche Lines v. Danforth*, Miss. 12 So 2nd 784, 787 "the right to travel on the public highways is a constitutional right", *Slusher v. Safety Coach Transit Co.*, 229 KY 731, 17 SW 2D 1012, affirmed in *Thompson v. Smith* 154 S.E. 579 – "The right to travel upon the public highways and transport my property thereon, by automobile is not a mere privilege, which may be permitted or prohibited at will, but a common

right which one has to life, liberty and the pursuit of happiness” and the State’s application of 625 ILCS 5/et seq is “notwithstanding”, Article VI cl.2 Ibid.

22. The Petitioner claims full and equal protection of the Law in Marbury v. Madison 5 US 137 – “The Constitution of these United States is the Supreme Law of the Land. Any law, that is repugnant to the Constitution, is null and void of law.”
23. The unconstitutional charges being applied to the Petitioner are repugnant to the Constitution because they deny a right established and guaranteed in the 1st, 4th, 5th, 6th, 7th, 8th, 9th, and 10th Amendments, and in United States Supreme Court ‘**Stare Decisis**’ so noted above, where this court has no authority to adjudicate contrary.
24. The unconstitutional charges under which the Petitioner is being forced to answer are non-constitutional on their face and unconstitutional when applied to the Petitioner because they do not have an enacting clause or single subject title, thereby denying due process of law.
25. Due Process of law is not necessarily satisfied by any process which the Legislature may prescribe. See: Abrams v. Jones 35 Idaho 532, 207 P. 724.
26. “Due Process of Law in each particular case means such an exercise of the powers of the government as the settled maxims of law permit and sanction; and under such safeguards for the protection of individual rights as those maxims prescribe for the class of cases to which the one in question belongs.” Cooley, Const. Lim. 441.
27. Due Process as defined in H. C. Black’s Law Dictionary, 4th Edition. “ Whatever difficulty may be experienced in giving to those terms a definition which will embrace every permissible exertion of power affecting private rights, and exclude such as is forbidden, there can be no doubt of their meaning when applied to judicial proceedings. They then mean a course of legal proceedings according to those rules and principles, which have been established in our systems of jurisprudence for the enforcement and protection of private rights.”
28. “To give such proceedings any validity, there must be a tribunal competent by its constitution—that is by the law of its creation—to pass upon the subject-matter of the suit; and if that involves merely a determination of the personal liability of the defendant, he must be brought within its jurisdiction obey service of process within the state or his voluntary appearance. Pennoyer v. Neff, 95 U.S. 733, 24 L.Ed. 565.”
29. “Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life liberty, or property, in its most comprehensive sense; to be heard, by testimony or otherwise, and to have the right of controverting, by proof, every material fact which bears on the question of right in the matter involved.”
30. “If any question of fact or liability be conclusively presumed against him, this is not due process of law, Zeigler v. Railroad Co., 58 Ala. 599.
31. These phrases in the Constitution do not mean the general body of the law, common and statute, as it was at the time the Constitution took effect; for that would seem to deny the right of the

Legislature to amend or repeal the law. They refer to certain fundamental rights which that system of jurisprudence, of which ours is a derivative, has always recognized. *Brown v. Levee Com'rs* 50 Miss. 468.”

32. All orders or judgments issued by a judge in a court of limited jurisdiction must contain the findings of the court showing that the court has subject-matter jurisdiction, not allegations that the court has jurisdiction. *In re Jennings*, 68 Ill.2d 125, 368 N.E.2d 864 (1977) (“in a special statutory proceeding an order must contain the jurisdictional findings prescribed by statute.”)
33. *In Interest of M.V.*, 288 Ill.App.3d 300, 681 N.E.2d 532 (1st Dist. 1997). Without subject-matter jurisdiction, all of the orders and judgments issued by a judge are **void** under law, and are of no legal force or effect. *In Interest of M.V.*, 288 Ill.App.3d 300, 681 N.E.2d 532 (1st Dist. 1997) (“Every act of the court beyond that power is void”).
34. The Petitioner assert, *Midland Coal Co. v. Knox County*, 268 Ill.App.3d 485, 644 N.E.2d 796 (4th Dist. 1994) (“Special statutory jurisdiction is limited to the language of the act conferring it, and the court has no powers from any other source”...)
35. The “language of the act” the complainants confer upon “has no powers from any other source” *Midland Coal Co. v. Knox County*, *Ibid*, no evidence on it’s face of valid law, as it lacks the mandatory enacting clause,
36. That the purpose of thus prescribing an enacting clause — “the style of the acts” — is to establish it; to give it permanence, uniformity, and certainty; to identify the act of legislation as of the general assembly; to afford evidence of its legislative statutory nature; and to secure uniformity of identification, and thus prevent inadvertence, possibly mistake and fraud. *State v. Patterson*, 4 S.E. 350, 352, 98 N.C. 660 (1887); 82 C.J.S. “Statutes,” § 65, p. 104; *Joiner v. State*, 155 S.E.2d 8, 10, 223 Ga. 367 (1967).
37. “That the almost unbroken custom of centuries has been to preface laws with a statement in some form declaring the enacting authority. The purpose of an enacting clause of a statute is to ‘identify’ it as an act of legislation by expressing on its face the authority behind the act.” 73 Am. Jur.2d, “Statutes,” § 93, p. 319, 320; *Preckel v. Byrne*, 243 N.W. 823, 826, 62 N.D. 356 (1932).
38. That for an enacting clause to appear on the face of a law, it must be recorded or published with the law so that the People can readily identify the authority for that particular law.
39. That “It is necessary that every law should show on its face the authority by which it is adopted and promulgated, and that it should clearly appear that it is intended by the legislative power that enacts it that it should take effect as a law.” *People v. Dettenthaler*, 77 N.W. 450, 451, 118 Mich. 595 (1898); citing *Swann v. Buck*, 40 Miss. 270.
40. This Plaintiff (a court of limited jurisdiction), lacks the power to act and have proceeded beyond the strictures of the statutes, and that the statutes being applied are created from revised statutes and codes of a foreign and unidentified source, as they fail to show from what authority in law they exist, where they fail to show on their face, the mandatory enacting clause.

41. Said revised statutes and codes fail to show a necessary and mandatory enacting clause on their face, giving them lawful force and effect. Said revised statutes and codes are private codes and statutes and are not law, do not compel this Petitioner to perform and do not apply to him, and fail to show "authority for the court to make any order." Levy. Industrial Common Ibid, Midland Coal Co. v. Knox County, Ibid.
42. The Petitioner, demand all rights under the common law based upon the status as a matter of due process of law and to determine what legal rights the Petitioner has in this court and what rights will be denied, if any, to determine what jurisdiction the Plaintiff is attempting to apply to this Natural Born Citizen.
43. The Petitioner is not subject to the jurisdiction of this Plaintiff.
44. This Petitioner has no contract with IN THE COURT OF CIRCUIT VERNON COUNTY, MISSOURI, or with the State of MISSOURI; or with any other segment of the United States for America that can grant jurisdiction over human rights; or over political, economic, social and cultural rights for We The People.
45. The Petitioner is Original / Indigenous within the meaning of the description of the Draft Declaration of the Inter-American Declaration of the Rights of Indigenous Peoples at Article 1 Definition
46. "In this Declaration Indigenous Peoples are those who embody historical continuity with societies which existed prior to the conquest and settlement of their territories by Europeans..."
47. Real People are separate and distinct; alien to this administration; and have a separate and distinct status from the administrators of the colonial occupiers of the land; as recognized in the Declaration on Principles of International Law of Friendly Relations and Cooperation Among States; wherein it does say under the Principles of Equal Rights and self determination of Peoples (B5): "The territory of a colony or other Non-Self Governing Territory has, under the Charter, a status separate and distinct from the territory of the State administering it..."
48. Colonial legislatures were divested of their legislative powers, and required to transfer jurisdiction and all powers over the cultural rights of indigenous and minority peoples to those peoples and prohibited from making any law that effects the rights of YHWH people to fully and effectively enjoy their right to self-determination in Article 5 of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Adopted by General Assembly resolution 1514 (XV) of 14 December 1960. See Article 5 to wit: "Immediate steps shall be taken, in Trust and Non-Self Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire..."
49. Colonial courts were divested of, and required to, transfer the judicative power and all power to the people of this territory, ibid.
50. See 'The American Declaration of the Rights and Duties of Man' (Adopted by the Ninth International Conference of American States Bogota, Colombia, 1948 at Article 5, Article 17, Article 26)

51. The United States for America is required to obey the requirements of the Declaration on the Principles of International Law and to obey the principles of international law enumerated therein.
52. The Vienna Convention on the Law of Treaties requires that the United States for America fulfill its obligations incurred thereunder.
53. The United States for America is a member of the United Nations, and is bound by the Charter of the United Nations to promote and protect the Rights of Indigenous Peoples.
54. The Declaration of the Granting of Independence to Colonial Countries and People UN MO #1514 specifically required the United States for America to transfer *all power* to the peoples of this land, and this specifically includes all legislative, executive and judicial powers.
55. The STATE OF MISSOURI through its commercial agencies, on the court record, prison records and other misrepresented Instruments, has committed 'fraud' to accomplish what is called in legal contemplation, "Capitis Diminutio Maxima", which is that my natural name has been murdered and I was resurrected as a non-natural, created entity subject to regulation and denied the protections of national and international law. This constitutes Fraud and denies due process of the law and the Freedom from the Practices and Policies of Apartheid described in the International Convention on the Suppression and Punishment of the Crime of *Apartheid* Adopted and opened for signature, ratification by General Assembly resolution 3068 (XXVIII) of 30 November 1973 at Articles 1, 2 and 3, and the right not to be compelled to perform under any contract or agreement not entered into voluntarily, intentionally and knowingly.
56. **Executive Order Number: 13107**, 63, Federal Register, 68,991 (1998)- Implementation of Human Rights Treaties, which states "It shall be the policy and practice of the Government of the United States, being committed to the protection and promotion of human rights and fundamental freedoms, fully to respect and implement its obligations under the international human rights treaties to which it is a party including the ICCPR, the CAT and the CERD." IN THE CIRCUIT COURT OF VERNON COUNTY, MISSOURI, by way of its Officers, violated 'Due Process' and, conspired to deprive rights of the Petitioner; and did neglect to prevent deprivation of rights at Title 18, U.S.C. 241 and Title 18, U.S.C. 242.
57. *Maine v. Thiboutot* 448 US 1, 100 SCT 2502 – Officers of the court have no immunity, when violating a constitutional right from liability. For they are deemed to know the law.
58. Note that the presiding judge, and any judge acting as organ of the court, is aware that 42 USC 1986 requires the person(s) adjudicating legal processes, to correct wrongs, and that their failure to correct the wrongs that were addressed constitutes Fraud under Rule 9(b) of the FRCP, cross referenced to 28 USC 1746, and that this Fraud constitutes a Perjury on the Oath of Office at 18 USC 1621, deprives us of rights, at 18 USC 241, and 242, Conspires to deprives rights at 42 USC 1985; is an extortion of rights at 18 USC 872, and is actionable under 42 USC 1983.
59. **Judicial officers have no immunity when they have no jurisdiction over subject matter.**
60. This court shall take mandatory Judicial Notice of the adjudged decision of the Supreme Court of the United States of *Bradley v Fisher* 80 U.S. 335 (1871), 351,352 that officers of the court have

no immunity when they have no jurisdiction over the subject-matter. And further in *Bradley v Fisher* on page 352 and 352 is as follows:

"Where there is clearly no jurisdiction over the subject matter any authority exercised is a usurped authority, and for the exercise of such authority, when the want of jurisdiction is known to the judge, no excuse is permissible." This evidence of *Bradley v Fisher* 80 U.S. 335 (1871).

61. Either subject-matter jurisdiction exists, or it doesn't. Subject-matter jurisdiction has been denied, it must be proved by the party claiming that the court has subject-matter jurisdiction as to all of the requisite elements of subject-matter jurisdiction
62. "The use of the highways for the purpose of travel and transportation is not a mere privilege, but a common and fundamental Right of which the public and the individual cannot be rightfully deprived." – *Chicago Motor Coach vs. Chicago*, 169 NE 22; *Ligare vs. Chicago*, 28 NE 934; *Boon vs. Clark*, 214 SSW 607; 25 Am. Jur. (1st) Highways Sect. 163.
63. "The right of a citizen (or others similarly situated) to travel upon the public highways and to transport his property thereon, by horse-drawn carriage, wagon, or automobile is not a mere privilege which may be permitted or prohibited at will, but a common right which he has under his right to life, liberty, and the pursuit of happiness." – *Slusher v. Safety Coac Transit Co.* 229 Ky 731, 17 SW2d 1012, affirmed by the Supreme Court in *Thompson v. Smith* 154 S.E. 579. (emphasis added)
64. "The right to Travel; The right to Mode of Conveyance; The Right to Locomotion are all absolute Rights, and the Police cannot make void the exercise of rights. *State v. Armstead*, 60 s. 778, 779, and 781"
65. "The right to Park or Travel is part of the Liberty of which the Natural Person and citizen cannot be deprived without "due process of Law" under the fifth Amendment of the United States Constitution. *Kent v. Dulles* 357 US 116, 125:"
66. "State Police Power extend only to immediate threats to public safety, health, welfare, etc., *Michigan v. Duke* 266 US, 476 LED. At 449:"
67. "Where rights secured by the Constitution are involved, there can be no rule-making or legislation, which would abrogate them. *Maranda v. Arizona* 384 US 4336, 125:"
68. "The claim and exercise of Constitutional Rights cannot be converted into a crime. *Miller v. Kansas* 230 F 2nd 486, 489:"
69. "For crime to exist, there must be an injured party (*Corpus Delicti*) There can be no sanction or penalty imposed on one because of this Constitutional right. *Serer v. Cullen* 481 F. 945:"
70. "If any Tribunal (court) finds absence of proof of jurisdiction over a person and subject matter, the case must be dismissed. *Louisville v. Motley* 2111 US 149, 29S. CT. 42. "The Accuser Bears the Burden of Proof Beyond a Reasonable Doubt."
71. "In light of my status the complaint against me must be brought before an Article III court as per the rules governing the Treaty of Peace and Friendship of 1787."

72. "Lack of Federal Jurisdiction can not be waived or overcome by agreement of parties". Griffin v. Matthews, 310 F supra 341, 342 (1969): "
73. "Want of Jurisdiction may not be cured by consent of parties"> Industrial Addition Association v. C.I.R., 323 US 310, 313."
74. "In Supreme Court case Murdock v. Penn. 319 US 105 "No state shall convert a liberty into a privilege, license it, and attach a fee to it".
75. See also; Shuttlesworth v. Birmingham 373 US 26 "If the state converts a liberty into a privilege, the citizen can engage in the right with impunity."
76. "Petitioner asserts "Where rights secured by the Constitution are involved, there can be no rule making or legislation, which would abrogate them" Miranda v. Arizona 384 U.S. 436, 491.
77. "An unconstitutional statute has been held to confer no authority on, and to afford no protection to, an officer acting thereunder." Also, "Officers cannot be punished for refusing to obey unconstitutional statute." (CJS 16, sec. 101, p. 479) "Such laws are in legal contemplation, as inoperative as though ' they had never been passed or as if the enactment had never been written, and are regarded as invalid or void from the date of enactment, and not only from the date on which it is judicially declared unconstitutional. Such a law generally binds no one, confers no rights, affords No Protections, and imposes no duties, and compliance therewith is unnecessary." (CJS 16, p. 469)
78. "No one is bound to obey an unconstitutional law and no courts are bound to enforce it." – 16 Am Juris 2nd, Sec 177 late 2d, Sec 256
79. "The State cannot diminish rights of the People." – Hurtado v. California, 110 U.S. 516
80. "The state is a people and not the created form of government." – Texas v. White, 7 Wallace, 700-74.
81. "The individual may stand upon constitutional rights. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his business or to open his door to an investigation, so far as it may tend to incriminate him. He owes no such duty or the state, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the Law of the Land, long antecedent to the organization of the state... He owes nothing to the public so long as he does not trespass upon their rights." Hale v. Henkel, 201 U.S. 43 (1905).
82. "The makers of the Constitution conferred, as against the government, the Right to be let alone; the most comprehensive of rights, and the right most valued by civilized men." – United States Supreme Court Justice Brandeis in Olmstead v. Unites States (1928).
83. Based on customary international laws, the 5th Amendment of the Constitution for the United States for America, which guarantees due process of the law and Article IV of same Constitution Section 1; Full Faith and Credit shall be given in each State to the public Acts, Records and judicial proceedings of every other state...

84. No person shall be denied the enjoyment of any civil or military right, nor be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public schools, because of religious principles, race, color, ancestry or national origin...

V.

RELIEF

1. **The Enforcement of the following:** The Divine Constitution and Bible of Yahweh; Must Live the Life Accordingly; Article VI of the United States Constitution Republic / I, Frederick-Joseph: Guenther , demand Due Process as protected by the Fifth (5th) and Seventh (7th) Amendments of the Constitution for the United States for America (Republic).
2. I, Frederick- Joseph: Guenther , demand this United States Supreme Court stop these abuses of the colorable authority by the Plaintiff as it pertain to this Petitioner.
3. I, Frederick- Joseph: Guenther , demand if any CIRCUIT charges be found, let them be placed upon the Plaintiffs.
4. I, Frederick- Joseph: Guenther , demand this United States Court view this Petitioner (in my Proper Person) as a Living man on American soil (Natural Born of the Land), or any other SLAVE TITLE or 'nom de guerre' imposed upon me for misrepresentation 'Actions' or other acts of 'Misprision' that a misdirected society may "believe" to be true.
5. I, Frederick- Joseph: Guenther do not, under any condition or circumstance, by threat, duress, or coercion, waive any rights Inalienable or Secured by the Constitution or Treaty, and, hereby requests the United States Supreme Court to fulfill their obligation to preserve the rights of this Petitioner and carry out their Judicial Duty in 'Good Faith' by ordering Plaintiff to be brought before the Law to answer for their CIRCUIT and unjust actions.
6. Plaintiff Stephanie M Kimmell is being counter-sued for \$400.00 for compensatory damages and \$2,175,000.00 for punitive damages for defamation/assassination of character and slander against Frederick- Joseph: Guenther and COMMON LAW COPYRIGHT.
7. Permit injunction preventing illegal detention of Frederick- Joseph: Guenther
8. Permit injunction preventing any future alienation by Stephanie M. Guenther[Kimmell], whereby she interferes with frederick-joseph guenther's right to rear his sons' and daughters' up to honor Yahweh, including injunction on any name changes.
9. Permit full possession [custody] of all offspring from this union of matrimony which Stephanie M. Guenther [Kimmell] walked away from (abandoned, breached), and alienated sons' and daughters' from frederick-joseph guenther and their siblings.

10. All other equitable relief entitled

TRIAL BY JURY OF MY OWN PEERS WAS, AND IS, DEMANDED

**THIS NOTICE OF REMOVAL MUST BE REBUTTED IN 21 DAYS BY SWORN AFFIDAVIT
OR PLAINTIFF SHALL SUFFER DEFAULT**

I declare under the penalty of perjury under the law of the UNITED STATES CODES that the above is I declare under the penalty of perjury under the law of the UNITED STATES CODES that the above is true and correct to the best of my knowledge and honorable intent. Document is hereby executed without the united states in accordance with 28 USC 1746.

Executed and sealed by the voluntary act of my own hand, this 31 day of October, 2019. Day.

I Am: *by: Frederick-Joseph: Guenther*

Authorized Representative Natural Person, In Propria Persona: All
Rights Reserved; U.C.C. 1-207 / 308; U.C.C. 1-103

Minister Frederick- Joseph: Guenther :, Natural Person, In Propria Persona:

Ex Relatione FEDERICK JOSEPH GUENTHER.: All Rights Reserved:

U.C.C. 1-207/ 1-308; U.C.C. 1-103

Not a Corporate Person or Entity, Misrepresented by Fraudulent Construct of ALL CAPITAL LETTERS

P.O. BOX 283

Nevada, MO [64772-9998]

Non-Domestic

A Natural Person, In Propria Persona, Sui Juris (not to be confused with nor substituted with Pro Se); and
not a Statutory Person. (Exhibit A. Name Change)

Authorized Representative Natural Person, In Propria Persona: All Rights Reserved; U.C.C. 1-207 / 308; U.C.C. 1-103

Shelby Ray

